

Proposition 17

Voting Rights for Parolees

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Purpose

Proposition 17 would amend the California Constitution to restore the right of persons convicted of a felony to vote after they are released from state prison and while they are still on parole.¹

Background

In 1974, California approved Proposition 10, the “Voting Rights Restoration Amendment.” Proposition 10 changed provisions of the California Constitution that barred persons convicted of an “infamous crime” from voting for the rest of their lives. Proposition 10 restored the right to vote to those who had completed both their imprisonment and parole.²

These rules remain in place today. Article II of the California Constitution states that persons are ineligible to vote if they are “in prison or on parole for the conviction of a felony.”³

According to estimates from the Legislative Analyst’s Office (LAO), approximately 50,000 persons are serving state parole in California. State parole usually lasts three years.⁴

Congress abolished parole for persons convicted of federal crimes after 1987, so this measure would have no effect on most federal prisoners.⁵

¹ California Secretary of State, “Official Voter Information Guide, General Election, November 3, 2020: Proposition 17,” <https://elections.cdn.sos.ca.gov/statewide-elections/2020-general/prop-17-title-summary.pdf>.

² Ballotpedia, “California Proposition 10, Voting Rights Restoration Amendment (1974),” [https://ballotpedia.org/California_Proposition_10,_Voting_Rights_Restoration_Amendment_\(1974\)](https://ballotpedia.org/California_Proposition_10,_Voting_Rights_Restoration_Amendment_(1974)).

³ Ballotpedia, “California Proposition 17, Voting Rights Restoration for Persons on Parole Amendment (2020),” [https://ballotpedia.org/California_Proposition_17,_Voting_Rights_Restoration_for_Persons_on_Parole_Amendment_\(2020\)](https://ballotpedia.org/California_Proposition_17,_Voting_Rights_Restoration_for_Persons_on_Parole_Amendment_(2020)).

⁴ Legislative Analyst’s Office, “Proposition 17,” <https://lao.ca.gov/ballot/2020/Prop17-110320.pdf>.

⁵ Families Against Mandatory Minimums, “Frequently Asked Questions About the Lack of Parole for Federal Prisoners,” November 29, 2012. <https://www.webcitation.org/6dkHBKKG?url=http://famm.org/wp-content/uploads/2013/08/FAQ-Federal-Parole-11.29.pdf>.

Proposal

Proposition 17, also known as the “Voting Rights Restoration for Persons on Parole” amendment, would amend the California Constitution to grant voting rights to felons who have been released from prison and are serving parole, as long as they meet all other voting requirements. To be eligible to vote in California, a person also must be a U.S. citizen, a resident of the state, and at least 18 years of age.⁶

In addition, California law allows persons who are eligible to vote to run for public office. By extending voting rights to felons serving parole, Proposition 17 would permit them to run for office if they meet all other requirements.⁷

Fiscal Impact

If voters approve Proposition 17, the LAO estimates that state would incur a one-time administrative cost of several hundred thousand dollars and counties would cumulatively need to spend an additional several hundred thousand dollars per year to accommodate additional voters.⁸

Supporters

Supporters include:

- U.S. Senator Kamala Harris (D)
- Secretary of State Alex Padilla (D)
- California Democratic Party
- The ACLU of California
- The League of Women Voters of California

As of September 19, 2020, approximately \$600,000 had been contributed to support the measure. Major donors included Susan Pritzker and the ACLU of Northern California.⁹

Arguments of Supporters

Supporters of Proposition 17 argue that:

- Parole symbolizes a reentrance into society, and it is important that ex-convicts feel they have a stake in their community.
- Voting and civic engagement are linked to lower rates of recidivism.
- Persons on parole pay local, state, and federal taxes, and they should be eligible to vote at these levels of government.¹⁰

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ballotpedia, “California Proposition 17.”

¹⁰ California Secretary of State, “Official Voter Information Guide: Proposition 17: Arguments in Favor.”

<https://elections.cdn.sos.ca.gov/statewide-elections/2020-general/prop-17-arg-in-favor.pdf>.

Opponents

While no political action committee has organized to oppose Proposition 17, Senator Jim Nielsen (R-Tehama) has been a leading opponent of the measure. The California Republican Party also has announced its opposition.

As of September 19, 2020, no contributions to oppose this measure had been reported.¹¹

Arguments of Opponents

Opponents of Proposition 17 argue that:

- Parole is an adjustment period during which former inmates prove their ability to be trusted with decisions such as voting.
- The measure would allow violent criminals, including those convicted for murder and rape, to vote before completing their full sentence, which includes parole.
- Approximately 50% of those who serve state parole are convicted of new crimes within three years of their release.¹²

Conclusion

A YES vote on Proposition 17 would allow persons convicted of felonies to vote after they are released from prison and while serving parole.

A NO vote on Proposition 17 would preserve the current rule that prevents persons convicted of felonies from voting until they have completed their full sentence, both prison term and parole.

¹¹ Ballotpedia, "California Proposition 17."

¹² California Secretary of State, "Official Voter Information Guide: Proposition 17: Arguments Against."
<https://elections.cdn.sos.ca.gov/statewide-elections/2020-general/prop-17-arg-against.pdf>.